

of the Bladder. * * * chronic catarrh of the bladder * * * Vesical Catarrh of Old Age * * * stricture of the urethra and congestion of the prostate, * * * Acute Cystitis, when the urine is colored with blood, and inflammation of the neck of the bladder, * * * assists elimination of the uric acid indicated by the red deposit in the urine resembling gravel.' * * * when the urethral catarrh is accompanied by cystitis * * *," whereas said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it, and the statements in the circular as aforesaid were false and fraudulent. Misbranding was alleged for the further reason that two certain circulars, copies of which were attached to the libel by the United States attorney, marked "Exhibit A" and "Exhibit B," and made a part of the libel, bore and contained statements, regarding the curative and therapeutic effects of the article and the ingredients and substances contained therein, which were false and fraudulent for the reason that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it therein.

On October 11, 1919, the said E. Fongera & Co., New York, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

9063. Misbranding of Big G. U. S. * * * v. One Gross Bottles of * * * Big G. Default decree of destruction. (F. & D. No. 10415. I. S. No. 16218-r. S. No. E-1452.)

On May 30, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of one gross bottles of an article labeled in part "Big G," at Jacksonville, Fla., consigned by the Evans Chemical Co., Cincinnati, Ohio, alleging that the article had been shipped on or about February 14, 1919, and transported from the State of Ohio into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of borax and berberine. Hydrastine was absent.

It was alleged in the libel that the strength and purity of the article fell below the professed standard and quality under which it was sold. Misbranding of the article was alleged in substance for the reason that the label on the carton containing it bore the following statement, "A compound of Borated Goldenseal," whereas it contained no borated goldenseal. It was alleged in substance that the article was misbranded for the further reason that the label upon said cartons and upon the bottles contained therein, and appearing in the booklets accompanying the article, contained the following statements regarding the curative and therapeutic effect of the said article, (carton) "Big G. A compound of Borated Goldenseal. A remedy for Catarrh, Hay Fever, and Inflammations, Irritations or Ulcerations of mucous membranes or Linings of the Nose, Throat, Stomach and Urinary Organs," (bottle) "Big G. A Non-poisonous Tonic, * * * A Treatment For Unnatural Discharges of the urinary organs, Catarrh, Hay Fever and Inflamed, Ulcerated, Itching conditions of the skin and mucous membrane or linings of the Mouth, Nose, Throat, Eye and Ear," (booklet) "Catarrh * * * Chronic, of the Head. * * *

Hay Fever, * * * Inflammation of the Eye. * * * Cystitis * * * Gastritis—Catarrh of the Stomach. * * * Haemorrhoids—Piles. * * * Throat Troubles. * * * Gonorrhoea * * * Gleet * * * Chronic Gonorrhoea, * * * Stricture * * * Folliculitis. * * * Gonorrhoeal Prostatitis. * * * Spermatorrhoea * * * Bubo, * * * Gonorrhoeal Cystitis. * * * As a preventative * * * Leucorrhoea—Whites—Catarrh of the Vagina. * * * Gonorrhoea in Women,” and certain other venereal diseases, which said statements were false, fraudulent, and misleading in that said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effect claimed in said statements above set forth.

On February 5, 1921, no claimant having appeared for the property, judgment was entered finding that the product was subject to condemnation, and it was ordered by the court that the same be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9064. Adulteration of evaporated apples. U. S. * * * v. 50 Boxes of Evaporated Apples. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 11933. I. S. No. 8879-r. S. No. C-1715.)

On February 10, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 boxes of evaporated apples, remaining in the original unbroken packages at Faribault, Minn., alleging that the articles had been shipped by J. W. Teasdale & Company, St. Louis, Mo., on or about December 2, 1919, and transported from the State of Missouri into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed therewith, and substituted in part for the article.

On March 5, 1920, J. W. Teasdale & Company, St. Louis, Mo., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

9065. Misbranding of olive oil. U. S. * * * v. Gabriel Carbateas and Nicholas S. Monahos (N. S. Monahos). Pleas of guilty. Fine, \$25 and costs. (F. & D. No. 11981. I. S. No. 11654-r.)

On June 21, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Gabriel Carbateas and Nicholas S. Monahos, copartners, trading as N. S. Monahos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 4, 1919, from the State of New York into the State of Texas, of a quantity of olive oil which was misbranded. The article was labeled in part, “Lemnos Brand Olio di Oliva Puro Net Contents $\frac{1}{4}$ Gallon.”

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the product was short in volume, the average shortage, in the cans examined, being 1.5 fluid ounces.